

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Merel Evans Bishop,

Plaintiff,

v.

ORDER ADOPTING THE REPORT  
AND RECOMMENDATION

Minnesota Department of Human Services,  
Minnesota Sex Offender Program; and  
Lucinda Jesson, Nancy Johnston, Kevin  
Moser, Steve Sajdak, Joanne Christenson,  
and Brian Erickson, in their individual and  
official capacities,

Civ. No. 14-1898 (ADM/SER)

Defendants.

---

Based upon the Report and Recommendation of United States Magistrate Judge Steven E. Rau, and after an independent review of the files, records and proceedings in the above-titled matter, **IT IS ORDERED:**

1. That Defendants Minnesota Department of Human Services, Minnesota Sex Offender Program, Lucinda Jesson, Nancy Johnston, Kevin Moser, Steve Sajdak, Joanne Christenson, and Brian Erickson's Motion to Dismiss [Doc. No. 37] is **DENIED as moot.**
2. That Plaintiff Merel Evans Bishop's ("Bishop") Motion to Dismiss Complaint [Doc. No. 45] is **GRANTED** to the extent Bishop seeks to amend the First Amended Complaint [Doc. No. 35] and **DENIED** to the extent Bishop seeks dismissal without prejudice.
3. That the Clerk's Office is directed to file the proposed Second Amended Complaint [Doc. No. 48-1], which will thereafter become the operative pleading in this matter.

4. That Defendants are to answer or otherwise respond to the proposed Second Amended Complaint 14 days from the date of its filing as the operative pleading in this matter.
5. That Bishop's Motion for Leave to File a Second Amended Complaint [Doc. No. 48] is **DENIED as moot**.

DATED: August 12, 2015

s/Ann D. Montgomery  
Ann D. Montgomery, Judge  
United States District Court